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PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968  
TRUMAN A. HERRON 1935-1976  
EDWARD B. EVANS 1936-1971

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May 20, 2005

**FACSIMILE COVER SHEET**

To: Examiner Joseph D. Manoskey  
Art Unit 2113  
Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22213-1450

Fax: 703-872-9306

Enclosures:

Fax Cover Sheet containing Certificate of  
Facsimile Transmission (1 page)  
Transmittal containing Certificate of  
Facsimile Transmission (2 pages)  
Amendment and Response (8 pages)

From: Douglas A. Scholer  
Reg. No. 52,197

Re: U.S. Patent Application  
Serial No. 09/932,140  
Filed: August 17, 2001  
Applicant: Bakke et al  
Art Unit: 2113  
Confirmation No.: 5139  
Our Ref: IBM 178

Pages: 11 (including cover sheet)

**MESSAGE/COMMENTS  
OFFICIAL****CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence and the enclosures noted herein (11 total pages, including cover sheet) are being transmitted via facsimile transmission to Examiner Joseph D. Manoskey, Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22213-1450 at 703-872-9306 on May 20, 2005.

*Judith L. Volk*  
Judith L. Volk

*May 20, 2005*  
Date

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If transmission is interrupted or of poor quality, please notify us immediately by calling (513) 241-2324 and ask for the sender's assistant. OUR FAX NUMBER IS (513) 241-6234.

**PATENT**

Att'y Docket No. IBM/178/262

Confirmation No. 5139**CERTIFICATE OF FACSIMILE TRANSMISSION**

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*Judith L. Volk*  
Judith L. Volk

*May 20, 2005*  
Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Brian Eric Bakke et al                      Art Unit: 2113  
Serial No.: 09/932,140                                      Examiner: Joseph D. Manoskey  
Filed : August 17, 2001  
For : METHOD AND APPARATUS FOR PROVIDING REDUNDANT ACCESS TO  
A SHARED RESOURCE WITH A SHAREABLE SPARE ADAPTER

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

1. ☒ Transmitted herewith is an Amendment and Response.
2. ☐ Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- ☐ Enclosed is a verified statement to establish Small Entity status
- ☒ Other than a Small Entity

**3. The fee has been calculated as shown below:****CALCULATION OF FEES**

Fee:	Number of Claims After Amendment:		Previously Paid For:	No. Extra:	At Rate:	Amount:
Total Claims	30	minus	30	0	\$50	\$0.00
Independent Claims	3	minus	3	0	\$200	\$0.00
MULTIPLE DEPENDENT CLAIM FEE					\$360	\$0.00
TOTAL FEE FOR CLAIMS:						\$0.00

- ☒ No additional fee for claims is required.

Page 1 of 2  
Serial No. 09/932,140  
Transmittal for Amendment of May 20, 2005  
IBM Docket: ROC920000284US1  
WH&E IBM/178

4. ☐ Attached is a check in the sum of \$\_\_\_\_\_ for additional claims.  
☐ Please charge my Deposit Account No. 23-3000 in the amount of \$\_\_\_\_\_.

5. **The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply. Complete (a) or (b) as applicable.**

- ☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

	<u>Ext. Mos.</u>	<u>Large entity</u>	<u>Small entity</u>
<input type="checkbox"/>	one month	\$ 120.00	\$ 60.00
<input type="checkbox"/>	two months	\$ 450.00	\$ 225.00
<input type="checkbox"/>	three months	\$1,020.00	\$ 510.00
<input type="checkbox"/>	four months	\$1,590.00	\$ 795.00
<input type="checkbox"/>	five months	\$2,160.00	\$1,080.00

Extension fee due with this request:

\$\_\_\_\_\_

Method of Payment:

Check enclosed in the amount of \$\_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.


(Check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid thereof of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$\_\_\_\_\_.  
**OR**
- ☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.
6. ☒ If any additional fee for claims or extension of time is required, charge Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By:

  
Douglas A. Scholer  
Reg. No. 52,197

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441 Vine Street  
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**Enclosed:**

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PATENT

IBM/178  
Confirmation No. 5139**RECEIVED****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE CENTRAL FAX CENTER**

MAY 20 2005

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Serial No.: 09/932,140 Examiner: Joseph D. Manoskey  
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For: METHOD AND APPARATUS FOR PROVIDING REDUNDANT  
ACCESS TO A SHARED RESOURCE WITH A SHAREABLE SPARE  
ADAPTER

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**AMENDMENT AND RESPONSE**

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated February 23, 2005, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 7 of this paper.

Page 1 of 8  
Serial No. 09/932,140  
Amendment and Response dated May 20, 2005  
Reply to Office Action of February 23, 2005  
IBM Docket ROC920000284US1  
WH&E IBM/178  
K:\Ibm\178\Amendment and Response to 2-23-05 OA.wpd